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Fiscal

IN THE \_\_\_\_\_ COURT OF THE THIRD CIRCUIT  
\_\_\_\_\_ DIVISION  
STATE OF HAWAI'I

STATE OF HAWAI'I

vs.

\_\_\_\_\_ ,

Defendant.

CASE NO. \_\_\_\_\_

**ORDER OF TEMPORARY  
HOSPITALIZATION FOR NON-  
COMPLIANCE WITH RELEASE ON  
CONDITIONS AND ORDER FOR  
TRANSPORT**

**[\$704-406]**

Hearing Date

Date: \_\_\_\_\_

Time: \_\_\_\_\_

JUDGE: \_\_\_\_\_

**ORDER OF TEMPORARY HOSPITALIZATION FOR NON-COMPLIANCE WITH  
RELEASE ON CONDITIONS AND ORDER FOR TRANSPORT**

The Court, after reviewing the Affidavit/Declaration in Support of an Order for Temporary Hospitalization pursuant to Section 704-406, Hawai'i Revised Statutes ("HRS"), submitted in the above-entitled matter, and having considered the record and file in this case, finds good cause that the immediate hospitalization of the Defendant for a period not to exceed seventy-two (72) hours is appropriate.

IT IS THEREFORE HEREBY ORDERED as follows:

1. The Defendant shall be immediately hospitalized at

\_\_\_\_\_ (name of DOH Facility) or  
other Department of Health facility;

2. The period of Defendant's hospitalization at \_\_\_\_\_ or other Department of Health facility shall not exceed seventy-two (72) hours without a hearing and/or stipulation by Defendant;

3. To effectuate the transport and immediate hospitalization of the Defendant, the Court:

- Issues herewith an Order for Transport to Department of Health Facility;.
- The Defendant's whereabouts being unknown, or for other good cause appearing, issues a Bench Warrant (MH-7.1) herewith for the arrest and transport of the Defendant to a Department of Health Facility.
- Other: \_\_\_\_\_

4. A hearing on this Order of Temporary Hospitalization:

- Shall be held on \_\_\_\_\_ at \_\_\_\_\_ .m. (within 72 hours) to determine the appropriateness of further hospitalization.
- Shall be set upon the arrest of the Defendant.

### **ORDER FOR TRANSPORT TO DEPARTMENT OF HEALTH FACILITY**

IT IS FURTHER ORDERED that:

Representatives of the Sheriff's Division or the Department of Public Safety shall transport the Defendant from the \_\_\_\_\_ Court of the Third Circuit, State of Hawai'i, to \_\_\_\_\_ (name of Department of Health Facility). The transportation of Defendant shall occur within the following time period:

- (In-custody): Within seventy-two (72) hours following the Court's order on \_\_\_\_\_ at \_\_\_\_\_ .m. committing Defendant to the care and custody of the Director of Health.
- (Out-of-Custody): Defendant shall be taken into custody forthwith by representatives of the Sheriff's Division or Department of Public Safety, and

transport of Defendant shall occur within seventy-two (72) hours following the Court's order on \_\_\_\_\_ at \_\_\_\_\_ .m. committing Defendant to the care and custody of the Director of Health.

(Out-of-Custody): Other \_\_\_\_\_  
\_\_\_\_\_

### ORDER FOR TRANSPORT TO COURT

IT IS FURTHER ORDERED that:

Representatives of the Sheriff's Division or the Department of Public Safety shall transport the Defendant from \_\_\_\_\_ to the \_\_\_\_\_ Court of the Third Circuit, State of Hawai'i, for a further hearing on \_\_\_\_\_ at \_\_\_\_\_ .m., and shall remain with the Defendant until the conclusion of the hearing, at which time Defendant may or may not be transported back to the facility deemed appropriate by the Director of Health ("DOH Facility").

In the event that Defendant's treating physician determines that transport to the next hearing would present a risk of danger to Defendant or to others, or if the Defendant chooses to waive their physical presence at the hearing, Defendant's presence at the hearing may be by way of video-conferencing.

Representatives of the Sheriff's Division or the Department of Public Safety shall transport the Defendant from the DOH Facility, and back to said facility, for any further hearings, as ordered by this Court.

DATED: \_\_\_\_\_, Hawai'i, \_\_\_\_\_.

\_\_\_\_\_  
JUDGE OF THE ABOVE-ENTITLED COURT



If you need an accommodation for a disability when participating in a court program, service, or activity, please contact the ADA Coordinator as far in advance as possible to allow time to provide an accommodation. Call the ADA Coordinator at 808-961-7629, Fax 808-961-7577 or send an e-mail to [adarequest@courts.hawaii.gov](mailto:adarequest@courts.hawaii.gov). The ADA Coordinator will try to provide, but cannot guarantee, the requested auxiliary aid, service, or accommodation.